

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEANS AND METHODS FOR MONITORING NON-NUCLEOSIDE REVERSE TRANSCRIPTASE INHIBITOR ANTIRETROVIRAL THERAPY AND GUIDING THERAPEUTIC DECISIONS IN THE TREATMENT OF HIV/AIDS

*the specification of which:
(check one)*

— is attached hereto.

X was filed on May 26, 1999 as

Application Serial No. 09/320,299

and was amended _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

[illegible]

Applicant: Jeannette Whitcomb
U.S. Serial No. 09/320,299
Filed: May 26, 1999

Declaration and Power of Attorney

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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/086,834</u>	<u>May 26, 1998</u>	<u>abandoned</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below, insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/124,090</u>	<u>March 12, 1999</u>	<u>pending</u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Albert Wai-Kit Chan (Reg. No. 36,479); Robert T. Maldonado (Reg. 38,232); Paul Teng (40,837); Gary Gershik (Reg. No. 39,992); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); and Pedro C. Fernandez (Reg. No. 41,741)

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any international Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Applicant: Jeannette Whitcomb
U.S. Serial No.: Yet Known
Filed: May 26, 1999

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Declaration and Power of Attorney

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White Reg. No. 28,678
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first joint inventor Jeannette Whitcomb

Inventor's signature 

Citizenship United States of America Date of signature 06/11/99

Residence 633 Highland Avenue, Apartment #4, San Mateo CA 94401

Post Office Address same as above

Full name of joint
inventor (if any) _____

Inventor's signature _____

Citizenship _____ Date of signature _____

Residence _____

Post Office Address _____

Full name of joint
inventor (if any) _____

Inventor's signature _____

Citizenship _____ Date of signature _____

Residence _____

Post Office Address _____

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jeannette Whitcomb

Confirmation No.:

Serial No.: 09/320,299

Art Unit: 1643

Filed: May 26, 1999

Examiner: Parkin, J.

For: MEANS AND METHOD FOR
MONITORING NON-NUCLEOSIDE
REVERSE TRANSCRIPTASE INHIBITOR
ANTIRETROVIRAL THERAPY AND
GUIDING THERAPEUTIC DECISIONS IN
THE TREATMENT OF HIV/AIDS

Attorney Docket No.: 11068-059-999
(formerly 56534-
B/JPW)

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Benj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Gidon D. Stern (Reg. No. 27469), John J. Laster, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), Kenneth L. Stein (Reg. No. 38704), Andrew J. Gray (Reg. No. 41796), Henry C. Lebowitz (Reg. No. 36196), Leo Merken (Reg. No. 41192), Margaret B. Brivankou (Reg. No. 40922), David R. Owens (Reg. No. 40756), Matthew E. Langer (Reg. No. 36343), Karen G. Horowitz (Reg. No. 35199), T. Christopher Tsang (Reg. No. 40258), and Carl P. Bretscher (Reg. No. 41635), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this application to customer no. 20583.

I am the:

- ☐ Applicant/Inventor
☒ Assignee of record of the entire interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

Statement Under 37 C.F.R. 3.73(b)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office on July 6, 1999 at Reel 10093, Frame 0635, or for which a copy thereof is attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

2. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

3. From: To:
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
☐ Copies of assignments of other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

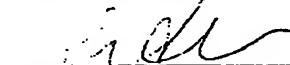
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: VIROLOGIC, INC.

Date:

5-8-2003

Signature:



Typed Name: Kathy Hibbs

Position/Title: Vice President, General Counsel
ViroLogic, Inc.

Address: 345 Oyster Point Blvd.
South San Francisco, CA 94080



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

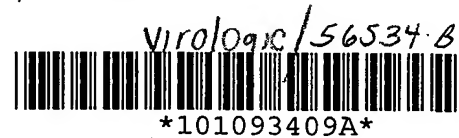
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

JPW

SEPTEMBER 17, 1999

PTAS

COOPER & DUNHAM
JOHN P. WHITE, ESQ
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



SEP 22 1999

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 07/06/1999

REEL/FRAME: 010093/0635
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WHITCOMB, JEANNETTE

DOC DATE: 06/11/1999

ASSIGNEE:

VIROLOGIC, INC.
270 EAST GRAND AVENUE
SOUTH SAN FRANCISCO, CALIFORNIA

94080

SERIAL NUMBER: 09320299
PATENT NUMBER:

FILING DATE: 05/26/1999
ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



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Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
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101093409B

AUTHORIZATION TO CHARGE ADDITIONAL FEES TO DEPOSIT ACCOUNT
SEPTEMBER 17, 1999

TO: OFFICE OF FINANCE
FROM: ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS
SUBJECT: DEPOSIT ACCOUNT CHARGE(S)

CHARGE THE DEPOSIT ACCOUNT LISTED BELOW ADDITIONAL FEE(S) AS INDICATED
BELOW. AUTHORIZATION TO CHARGE ADDITIONAL FEES HAS BEEN PROVIDED PER
THE ATTACHED COVER SHEET, OR BY DIRECT CONTACT WITH THE CUSTOMER.

DEPOSIT ACCOUNT NUMBER: 033125
PROPERTY NUMBER: 09320299

RECORDING FEES:

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SHIRLIE SIMON, EXAMINER
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LABOR CHARGES FOR SERVICES PER HOURS OR FRACTION THEREOF	484
UNSPECIFIED OTHER SERVICES	485

PATENT SERVICE FEES:

RECORDING EACH PATENT ASSIGNMENT,	581
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AGREEMENT, OTHER PAPER, PER PROPERTY
LABOR CHARGES FOR SERVICES PER HOUR
(\$30) OR FRACTION THEREOF
UNSPECIFIED OTHER SERVICES

584

585